

26 **Money Appropriated in this Bill:**

27 None

28 **Other Special Clauses:**

29 This bill provides a special effective date.

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **53G-10-202 (Effective 07/01/25)**, as last amended by Laws of Utah 2023, Chapter 29433 **53G-10-402 (Effective 07/01/26)**, as last amended by Laws of Utah 2024, Chapters 20,

34 507

35 **53G-10-403 (Effective 07/01/26)**, as last amended by Laws of Utah 2019, Chapter 293

36 ENACTS:

37 **53G-9-214 (Effective 07/01/25)**, Utah Code Annotated 195338 **53G-9-901 (Effective 07/01/25)**, Utah Code Annotated 195339 **53G-9-902 (Effective 07/01/25)**, Utah Code Annotated 1953

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41 *Be it enacted by the Legislature of the state of Utah:*42 Section 1. Section **53G-9-214** is enacted to read:43 **53G-9-214 (Effective 07/01/25). Health care services in public schools.**

44 Except as provided in Part 9, Mental Health Services in Public Schools, before a health
 45 care provider, as defined in Section 58-80a-102, may provide or facilitate a health care service
 46 in a public school that is not traditionally available to a student in a public school, the health
 47 care provider shall obtain the informed written or verbal consent of the student's parent for the
 48 health care service.

49 Section 2. Section **53G-9-901** is enacted to read:50 **Part 9. Mental Health Services in Public Schools**51 **53G-9-901 (Effective 07/01/25). Definitions.**

52 As used in this part:

53 (1) "Authorized personnel" means an individual:54 (a)(i) who holds a license:55 (A) as a school psychologist, as defined in Section 53F-5-218;56 (B) as a school social worker, as defined in Section 53F-5-218;57 (C) under Title 58, Chapter 61, Psychologist Licensing Act;58 (D) under Title 58, Chapter 60, Part 2, Social Worker Licensing Act;59 (E) under Title 58, Chapter 60, Part 3, Marriage and Family Therapist Licensing

- 60 Act; or
- 61 (F) under Title 58, Chapter 60, Part 4, Clinical Mental Health Counselor
- 62 Licensing Act; or
- 63 (ii) whom an individual described in Subsection (1)(a)(i) supervises, to the extent the
- 64 individual's actions fall within the scope of the supervision; and
- 65 (b) whom an LEA or school employs, engages by contract, or engages by agreement, to
- 66 support students' mental health through a restricted service in accordance with the
- 67 scope of the individual's license or certification described in Subsection (1)(a).
- 68 (2)(a) "Restricted service" means a mental health service that takes place in a school
- 69 setting.
- 70 (b) "Restricted service" does not include:
- 71 (i) describing basic stress-management strategies;
- 72 (ii) informing students and parents of the availability of a restricted service; or
- 73 (iii) engaging in generalized crisis response, which does not include one-on-one
- 74 therapy, in accordance with the state board's or the LEA's crisis response protocols.

75 Section 3. Section **53G-9-902** is enacted to read:

76 **53G-9-902 (Effective 07/01/25). Informed parental consent required -- Parental**

77 **notification required.**

- 78 (1) Except as provided in a student's IEP or Section 504 accommodation plan:
- 79 (a) an individual who is not authorized personnel may not provide a restricted service;
- 80 and
- 81 (b) authorized personnel may not provide a restricted service:
- 82 (i) outside the scope of the relevant license; or
- 83 (ii) with other students present.
- 84 (2) For authorized personnel to provide a restricted service:
- 85 (a) the relevant LEA, school, or authorized personnel shall obtain informed written
- 86 parental consent before the first session of a restricted service in a given school year,
- 87 using a standard form that includes:
- 88 (i) fields for at least the following information:
- 89 (A) the name of the student;
- 90 (B) the name of the individual giving informed consent; and
- 91 (C) the name of each authorized personnel who has authority under the informed
- 92 written consent to provide a restricted service;
- 93 (ii) a statement that the authorized personnel will provide information about the

94 restricted service in accordance with Subsection (2)(b), including that the parent
95 has the right to opt out of receiving notifications at any time; and
96 (iii) a statement that authorized personnel will adhere to the topics or issues the
97 parent identifies, in collaboration with authorized personnel, for discussion or
98 exclusion with the student under Subsection (3)(a), except that the authorized
99 personnel may address topics if the omission would compromise the student's
100 immediate safety, the omission would violate mandatory reporting obligations, or,
101 based on behaviors or statements the authorized personnel observes, the
102 authorized personnel determines a need to assess the student's safety; and
103 (b) unless the student's parent opts out of receiving notifications from the authorized
104 personnel under this Subsection (2)(b), within one business day after each session of
105 a restricted service, the authorized personnel shall provide to the student's parent:
106 (i) notice that the restricted service took place; and
107 (ii) a description of the topic of the restricted service.
108 (3)(a)(i) When obtaining the informed written parental consent described in
109 Subsection (2)(a), the LEA, school, or authorized personnel shall, through
110 consultation with the parent, provide the parent an opportunity to identify topics
111 or issues the parent intends the authorized personnel to address or to not address
112 with the student.
113 (ii) Except as described in Subsection (3)(a)(iii), authorized personnel may not
114 address a topic or issue for which a parent has expressly stated an intent for
115 authorized personnel to not address with the student under this Subsection (3)(a).
116 (iii) Subsection (3)(a)(ii) does not apply if:
117 (A) an omission within a restricted service would compromise the student's
118 immediate safety; or
119 (B) the student discloses information that creates a duty on the authorized
120 personnel to make a mandatory report for the purpose of discussing the
121 information with the student to the extent necessary to make the report,
122 including for suspected cases of child abuse or neglect under Section 80-2-602,
123 abuse of a student under Section 53E-6-701, or any other legally mandated
124 duty to report an incident.
125 (b)(i) The requirement to obtain prior informed written parental consent before
126 providing a restricted service described in Subsection (2)(a) does not apply in a
127 case in which a delay to contact a parent would create an immediate serious risk

- 128 of suicide or serious bodily injury, as defined in Section 76-1-101.5, to the student
 129 or to another individual.
- 130 (ii) For a circumstance described in Subsection (3)(b)(i), the LEA, school, or
 131 authorized personnel shall notify a parent in accordance with Section 53G-9-604.
- 132 (c) A student's IEP or Section 504 accommodation plan that includes a restricted service
 133 satisfies the informed parental consent requirement described in Subsection (2)(a).
- 134 (4)(a) The state board may make rules, in accordance with Title 63G, Chapter 3, Utah
 135 Administrative Rulemaking Act, regarding the application of this section to the
 136 actions of educators and staff in the public education system.
- 137 (b) The state board shall, in consultation with the Department of Health and Human
 138 Services, provide guidance to authorized personnel, educators, and school support
 139 staff on conduct and practices that constitute and do not constitute a restricted service.
- 140 (5) Nothing in this part authorizes an individual to take an action that exceeds the scope of
 141 the individual's license or certification.
- 142 (6) This section does not apply to a service a student accesses through the SafeUT Crisis
 143 Line established in Section 53B-17-1202.
- 144 Section 4. Section **53G-10-202** is amended to read:
 145 **53G-10-202 (Effective 07/01/25). Maintaining constitutional freedom in the**
 146 **public schools.**
- 147 (1) Except as provided in this section and in Section 53G-10-206, any instructional activity,
 148 performance, or display which includes examination of or presentations about religion,
 149 political or religious thought or expression, or the influence thereof on music, art,
 150 literature, law, politics, history, or any other element of the curriculum, including the
 151 comparative study of religions, which is designed to achieve academic educational
 152 objectives included within the context of a course or activity and conducted in
 153 accordance with applicable rules or policies of the state and LEA governing boards, may
 154 be undertaken in the public schools.
- 155 (2) No aspect of cultural heritage, political theory, moral theory, or societal value shall be
 156 included within or excluded from public school curricula for the primary reason that it
 157 affirms, ignores, or denies religious belief, religious doctrine, a religious sect, or the
 158 existence of a spiritual realm or supreme being.
- 159 (3) Public schools may not sponsor or deny the practice of prayer or religious devotionals.
- 160 (4) School officials and employees may not~~[use their positions-]~~, regardless of a school,
 161 LEA, or state board rule or policy, use the official's or employee's position to endorse,

162 promote, or disparage a particular religious, denominational, sectarian, agnostic, or
 163 atheistic belief or viewpoint.

164 Section 5. Section **53G-10-402** is amended to read:

165 **53G-10-402 (Effective 07/01/26). Instruction in health -- Parental consent**
 166 **requirements -- Conduct and speech of school employees and volunteers -- Political and**
 167 **religious doctrine prohibited.**

168 (1) As used in this section:

169 (a) "LEA governing board" means a local school board or charter school governing
 170 board.

171 (b) "Refusal skills" means instruction:

172 (i) in a student's ability to clearly and expressly refuse sexual advances by a minor or
 173 adult;

174 (ii) in a student's obligation to stop the student's sexual advances if refused by another
 175 individual;

176 (iii) informing a student of the student's right to report and seek counseling for
 177 unwanted sexual advances; and

178 [~~(iv) in sexual harassment; and~~]

179 [~~(v)~~] (iv) informing a student that a student may not consent to criminally prohibited
 180 activities or activities for which the student is legally prohibited from giving
 181 consent, including the electronic transmission of sexually explicit images by an
 182 individual, regardless of whether the image is of the individual who transmits the
 183 image or of another individual.

184 (c) "Situational awareness" means instruction in a student's ability to:

185 (i) observe the student's environment, including:

186 (A) increasing awareness; and

187 (B) noticing details and changes in the environment; and

188 (ii) respond in unsafe situations, including how to seek help.

189 (d) "Success sequence" means a three-prong framework for youth and young adults that
 190 encourages:

191 (i) completing at least a high school education and pursuing further educational
 192 opportunities;

193 (ii) obtaining full-time employment; and

194 (iii) having children within a healthy and stable family and marriage.

195 [~~(2)(a) The state board shall establish curriculum requirements under Section 53E-3-501~~]

- 196 that include instruction in:]
- 197 [(i) community and personal health;]
- 198 [(ii) physiology;]
- 199 [(iii) personal hygiene;]
- 200 [(iv) prevention of communicable disease;]
- 201 [(v) refusal skills; and]
- 202 [(vi) the harmful effects of pornography.]
- 203 [(b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 204 state board shall make rules that, and instruction shall:]
- 205 [(i) stress the importance of abstinence from all sexual activity before marriage and
- 206 fidelity after marriage as methods for preventing certain communicable diseases;]
- 207 [(ii) stress personal skills that encourage individual choice of abstinence and fidelity;]
- 208 [(iii) prohibit instruction in:]
- 209 [(A) the intricacies of intercourse, sexual stimulation, or erotic behavior;]
- 210 [(B) the advocacy of premarital or extramarital sexual activity; or]
- 211 [(C) the advocacy or encouragement of the use of contraceptive methods or
- 212 devices; and]
- 213 [(iv) except as provided in Subsection (2)(d), allow instruction to include information
- 214 about contraceptive methods or devices that stresses effectiveness, limitations,
- 215 risks, and information on state law applicable to minors obtaining contraceptive
- 216 methods or devices.]
- 217 [(e) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 218 state board shall make rules for an LEA governing board that adopts instructional
- 219 materials under Subsection (2)(g)(ii) that:]
- 220 [(i) require the LEA governing board to report on the materials selected and the LEA
- 221 governing board's compliance with Subsection (2)(h); and]
- 222 [(ii) provide for an appeal and review process of the LEA governing board's adoption
- 223 of instructional materials.]
- 224 [(d) The state board may not require an LEA to teach or adopt instructional materials
- 225 that include information on contraceptive methods or devices.]
- 226 [(e)(i) At no time may instruction be provided, including responses to spontaneous
- 227 questions raised by students, regarding any means or methods that facilitate or
- 228 encourage the violation of any state or federal criminal law by a minor or an adult.]
- 229 [(ii) Subsection (2)(e)(i) does not preclude an instructor from responding to a

230 spontaneous question as long as the response is consistent with the provisions of
 231 this section.]

232 [(f) The state board shall recommend instructional materials for use in the curricula
 233 required under Subsection (2)(a).]

234 [(g) An LEA governing board may choose to adopt:]

235 [(i) the instructional materials recommended under Subsection (2)(f); or]

236 [(ii) other instructional materials in accordance with Subsection (2)(h).]

237 [(h) An LEA governing board that adopts instructional materials under Subsection
 238 (2)(g)(ii) shall:]

239 [(i) ensure that the materials comply with state law and board rules;]

240 [(ii) base the adoption of the materials on the recommendations of the LEA
 241 governing board's Curriculum Materials Review Committee;]

242 [(iii) adopt the instructional materials in an open and regular meeting of the LEA
 243 governing board for which prior notice is given to parents of students who attend
 244 the respective schools; and]

245 [(iv) give parents an opportunity to express the parents' views and opinions on the
 246 materials at the meeting described in Subsection (2)(h)(iii).]

247 (2)(a) In accordance with Section 53E-3-501, the state board shall establish health
 248 curriculum requirements:

249 (i) for the purpose of:

250 (A) equipping students with practical safety skills regarding sexual abuse,
 251 trafficking, and harassment;

252 (B) promoting respect for humankind and individual responsibility;

253 (C) fostering character development and decision- making through the success
 254 sequence; and

255 (D) encouraging healthy personal and family relationships; and

256 (ii) that include instruction in:

257 (A) the success sequence;

258 (B) community and personal health, including personal hygiene and the
 259 prevention of communicable disease;

260 (C) physiology;

261 (D) human development;

262 (E) marriage and safe dating practices;

263 (F) refusal skills;

- 264 (G) resilience;
265 (H) situational awareness;
266 (I) the harmful effects of pornography; and
267 (J) the consequences of behaviors that pose a risk to individual health or of failure
268 under the success sequence.
- 269 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
270 state board shall make rules that:
- 271 (i) ensure that instruction stresses the importance of abstinence from all sexual
272 activity before marriage and fidelity after marriage as methods for:
- 273 (A) maintaining mental, physical, and social health, including reducing stress;
274 (B) eliminating risks associated with sexual activity, including preventing
275 pregnancy and certain communicable diseases; and
276 (C) achieving the success sequence;
- 277 (ii) ensure that instruction stresses personal skills that encourage abstinence, the
278 return to abstinence, and fidelity;
- 279 (iii) prohibit instruction or discussion, regardless of parental consent or intent to
280 receive the prohibited instruction, in or regarding:
- 281 (A) the intricacies of sexual stimulation or erotic behavior;
282 (B) the advocacy of premarital or extramarital sexual activity;
283 (C) the advocacy or encouragement of the use of contraceptive methods or
284 devices; and
- 285 (D) any means or methods that facilitate or encourage the violation of any state or
286 federal criminal law by a minor or an adult, including as a response to a
287 spontaneous question from a student; and
- 288 (iv) subject to Subsection (2)(c), allow instruction to include information about
289 contraceptive methods or devices, not including abortion or any abortive methods,
290 that stresses effectiveness, failure rates for youth, limitations, risks, and
291 information on state law applicable to minors obtaining contraceptive methods or
292 devices.
- 293 (c)(i) As used in this Subsection (2), "contraceptive methods or devices" does not
294 include abortion or any abortive methods.
- 295 (ii) Notwithstanding the allowance for instruction about contraceptive methods or
296 devices in Subsection (2)(b):
- 297 (A) the state board may not require an LEA to teach or adopt instructional

298 materials that include information on contraceptive methods or devices; and
 299 (B) the instruction may not demonstrate or otherwise depict the use of a
 300 contraceptive method or device.

301 (d) The state board shall:

302 (i) recommend instructional materials for use in the curricula required under
 303 Subsection (2)(a); and

304 (ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
 305 make rules for an LEA governing board that adopts alternative instructional
 306 materials under Subsection (2)(e) to:

307 (A) require the LEA governing board to report on the materials the governing

308 board selects and the governing board's compliance with Subsection (2)(e); and

309 (B) provide for an appeal and review process of the LEA governing board's
 310 adoption of instructional materials.

311 (e)(i) An LEA governing board may choose to adopt:

312 (A) the instructional materials recommended under Subsection (2)(d); or

313 (B) alternative instructional materials in accordance with Subsection (2)(e)(ii).

314 (ii) An LEA governing board that adopts instructional materials under Subsection
 315 (2)(e)(i) shall:

316 (A) ensure that the materials comply with state law and state board rules;

317 (B) base the adoption of the materials on the recommendations of the LEA
 318 governing board's Curriculum Materials Review Committee;

319 (C) adopt the instructional materials in an open and regular meeting of the LEA
 320 governing board for which parents of students who attend the respective
 321 schools receive prior notice; and

322 (D) give parents an opportunity to express the parents' views and opinions on the
 323 materials at the meeting described in Subsection (2)(e)(ii)(C).

324 (f) At the request of the state board, the Department of Health and Human Services shall
 325 provide recommendations to the state board as the state board develops the
 326 curriculum, rules, or programs described in this Subsection (2).

327 (3)(a) A student shall receive the instruction [in the courses] described in Subsection
 328 (2) on at least two occasions [during the period that begins with] between the
 329 beginning of grade [8] 7 and the end of grade 12.

330 [b) At the request of the state board, the Department of Health and Human Services

331 shall cooperate with the state board in developing programs to provide instruction in

- 332 those areas.]
- 333 (4)(a) The state board shall~~[-adopt]~~ , in accordance with Title 63G, Chapter 3, Utah
- 334 Administrative Rulemaking Act, make rules that:
- 335 (i) provide ~~[that]~~ for the compliance with the parental consent requirements of
- 336 Sections 76-7-322~~[-and 76-7-323 are complied with];~~ and
- 337 (ii) require advance notice to a student's parent~~[-to be notified in advance and have]~~
- 338 that provides an opportunity to review the information for which parental consent
- 339 is required under Sections 76-7-322 and 76-7-323.
- 340 (b) The state board shall ~~[also]~~ provide procedures for disciplinary action for violation of
- 341 Section 76-7-322 or 76-7-323.
- 342 (5)(a) In ~~[keeping with the requirements of]~~ accordance with Section 53G-10-204 and
- 343 Subsection (2)(b)(iii), and because school employees and volunteers serve as
- 344 examples to students, school employees or volunteers acting in an official capacity
- 345 may not support or encourage criminal conduct by students, teachers, or volunteers.
- 346 (b) To ensure the effective performance of school personnel, the limitations described in
- 347 Subsection (5)(a) also apply to a school employee or volunteer acting outside of the
- 348 school employee's or volunteer's official capacity if:
- 349 (i) the employee or volunteer knew or should have known that the employee's or
- 350 volunteer's action could result in a material and substantial interference or
- 351 disruption in the normal activities of the school; and
- 352 (ii) ~~[that]~~ the employee's or volunteer's action ~~[does result]~~ results in a material and
- 353 substantial interference or disruption in the normal activities of the school.
- 354 (c) The state board or an LEA governing board may not allow training of school
- 355 employees or volunteers that ~~[support]~~ supports or ~~[encourage]~~ encourages criminal
- 356 conduct.
- 357 (d) The state board shall~~[-adopt]~~, in accordance with Title 63G, Chapter 3, Utah
- 358 Administrative Rulemaking Act, make rules implementing this ~~[section]~~ Subsection
- 359 (5).
- 360 (e) Nothing in this section limits the ability or authority of the state board or an LEA
- 361 governing board to enact and enforce rules or take actions that are otherwise lawful~~[,]~~
- 362 regarding an educator's, employee's, or volunteer's qualifications or behavior
- 363 evidencing unfitness for duty.
- 364 (6) Except as provided in Section 53G-10-202, an individual may not teach or provide
- 365 instruction on political, atheistic, sectarian, religious, or denominational doctrine ~~[may~~

- 366 ~~not be taught~~] in the public schools.
- 367 (7)(a) An LEA governing board and an LEA governing board's employees shall
 368 cooperate and share responsibility in carrying out the purposes of this chapter.
- 369 (b) An LEA governing board shall:
- 370 (i)(A) ~~[-]~~ provide appropriate professional development for the LEA governing
 371 board's teachers, counselors, and school administrators to enable the teachers,
 372 counselors, and school administrators to understand, protect, and properly
 373 instruct students in the values and character traits referred to in this section and
 374 Sections 53E-9-202, 53E-9-203, 53G-10-202, 53G-10-203, 53G-10-204, and
 375 53G-10-205~~[-]~~ ; and~~[-]~~
- 376 (B) distribute appropriate written materials on the values, character traits, and
 377 conduct described in Subsection (7)(b)(i) to each individual receiving the
 378 professional development~~[-]~~ ; and
- 379 ~~[(e)]~~ (ii) ~~[An LEA governing board shall]~~ make the written materials described in
 380 Subsection (7)(b) available to classified employees, students, and students' parents.
- 381 ~~[(d)]~~ (c) ~~[In order to]~~ To assist an LEA governing board in providing the professional
 382 development required under Subsection (7)(b), the state board shall, as appropriate,
 383 contract with a qualified individual or entity possessing expertise in the areas [
 384 ~~referred to]~~ described in Subsection (7)(b) to develop and disseminate model teacher
 385 professional development programs that an LEA governing board may use to train
 386 the individuals ~~[referred to]~~ described in Subsection (7)(b) to effectively teach the
 387 values and qualities of character ~~[refereneed]~~ described in Subsection (7)(b).
- 388 ~~[(e)]~~ (d) In accordance with ~~[the provisions of]~~ Subsection (5)(c), professional
 389 development may not support or encourage criminal conduct.
- 390 (8) An LEA governing board shall review every two years:
- 391 (a) LEA governing board policies on instruction described in this section;
- 392 (b) for a local school board, data for each county ~~[that]~~ in which the school district is
 393 located~~[-in]~~, or, for a charter school governing board, data for the county in which the
 394 charter school is located, on the following:
- 395 (i) teen pregnancy;
- 396 (ii) child sexual abuse; and
- 397 (iii) sexually transmitted diseases and sexually transmitted infections; and
- 398 (c) the number of pornography complaints or other instances reported within the
 399 jurisdiction of the LEA governing board.

400 (9) If any one or more provision, subsection, sentence, clause, phrase, or word of this
 401 section, or the application thereof to any person or circumstance, is found to be
 402 unconstitutional, the balance of this section shall be given effect without the invalid
 403 provision, subsection, sentence, clause, phrase, or word.

404 Section 6. Section **53G-10-403** is amended to read:

405 **53G-10-403 (Effective 07/01/26). Required parental consent for sex education**
 406 **instruction.**

407 (1) As used in this section:

408 (a)(i) "Sex education instruction" means, for the purpose of the parental consent
 409 requirement in this section, any course material, unit, class, lesson, activity, or
 410 presentation that, as the focus of the discussion, provides instruction or
 411 information to a student about:

412 (A) sexual abstinence;

413 (B) human [~~sexuality~~] development, including puberty and maturation;

414 (C) human [~~reproduction~~] reproductive processes, including conception, fetal
 415 development, pregnancy, and birth;

416 (D) human reproductive anatomy[;] and

417 [~~(E)~~] physiology;

418 [~~(F)~~] pregnancy;

419 [~~(G)~~] (E) healthy dating practices, marriage, and parenthood, in accordance with
 420 the success sequence as defined in Section 53G-10-402;

421 [~~(H)~~] childbirth;

422 [~~(I)~~] parenthood;

423 (F) adoption in accordance with Section 53G-10-404;

424 [~~(J)~~] (G) [~~contraception~~] information about contraceptive methods or devices in
 425 accordance with Subsections 53G-10-402(2)(b) and (c);

426 [~~(K)~~] HIV/AIDS;

427 [~~(L)~~] (H) chronic, infectious, and acute diseases and conditions of the reproductive
 428 system, including sexually transmitted infections and diseases; or

429 [~~(M)~~] (I) refusal skills, as defined in Section 53G-10-402.

430 (ii) "Sex education instruction" does not include:

431 (A) child sexual abuse prevention instruction described in Section 53G-9-207[-] ; or

432 (B) instruction in refusal skills or situational awareness, as those terms are defined
 433 in Section 53G-10-402.

- 434 (b) "School" means the same as that term is defined in Section 53G-10-205.
- 435 (2)(a) A school shall obtain prior written consent from a student's parent before the
- 436 school may provide sex education instruction to the student.
- 437 (b) A school may not provide:
- 438 (i) sex education instruction to a student without the prior written consent described
- 439 in Subsection (2)(a); or
- 440 (ii) any instruction related to sex that is not:
- 441 (A) described in the definition of sex education and subject to the prior written
- 442 consent described in Subsection (2)(a); or
- 443 (B) otherwise provided for or described in Section 53G-10-402.
- 444 (3) If a student's parent chooses not to have the student participate in sex education
- 445 instruction, a school shall:
- 446 (a) waive the requirement for the student to participate in the sex education instruction;
- 447 or
- 448 (b) provide the student with a reasonable alternative to the sex education instruction
- 449 requirement that does not include the content described in Subsection (1)(a).
- 450 (4) In cooperation with the student's teacher or school, a parent [~~shall take responsibility for~~
- 451 ~~the parent's student's-~~] is responsible for the sex education instruction of the parent's
- 452 student if a school:
- 453 (a) waives the student's sex education instruction requirement [~~in~~] under Subsection (3)(a);
- 454 or
- 455 (b) provides the student with a reasonable alternative to the sex education instruction
- 456 requirement [~~described in~~] under Subsection (3)(b).
- 457 (5) A school, an LEA governing board, or the state board may not penalize a student's
- 458 academic or citizenship performance [~~may not be penalized-~~]if the student's parent
- 459 chooses not to have the student participate in sex education instruction as described in
- 460 Subsection (3).

461 Section 7. **Effective Date.**

- 462 (1) Except as provided in Subsection (2), this bill takes effect July 1, 2025.
- 463 (2) The actions affecting the following sections take effect on July 1, 2026:
- 464 (a) Section 53G-10-402 (Effective 07/01/26); and
- 465 (b) Section 53G-10-403 (Effective 07/01/26).